LEVEL 3 MARKING SCHEME

AUTUMN 2020

LEVEL 3
CRIMINOLOGY – UNIT 2
4543UB0-1

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INTRODUCTION

This marking scheme was used by WJEC for the 2020 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

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LEVEL 3 CRIMINOLOGY – UNIT 2

AUTUMN 2020 MARK SCHEME

1. (a) (i) Briefly describe **one** sociological theory of criminality. **[4]**

0 marks	The response does not meet any of the criteria specified below.
1-2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3-4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Marxism

- This theory suggests that society may influence a person to become criminal.
- Marxism holds crime as something that the ruling class use as a means of social control.
- It is argued that the criminal justice system, including the police and prisons, encourages conformity.
- The theory assumes that the disadvantaged social class is a primary cause of crime and that criminal behaviour begins in youth.
- It also suggests that crime is largely a result of unfavourable conditions in a community, for example a high dropout rate, unemployment and single-parent families.

Strain theory of criminality

- In their descriptions, candidates may note the work of Robert K Merton.
- This theory holds that society encourages people to subscribe to the goals of material success; however, society is unable to provide the legitimate means for all to achieve success.
- It is argued that some people's opportunities are blocked and consequently they experience feelings of anomie.
- There are various responses to the anomie such as conformity and innovation.

Functionalism

- According to Durkheim, crime is inevitable as not every member of society is committed to the collective sentiments or shares the same values and beliefs.
- Crime serves a function and only becomes dysfunctional when the rate is too high or too low.
- Crime strengthens social cohesion and the willingness of members of society to cooperate with one another.

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(a) (ii) Analyse how the theory described in 1.(a)(i) can be applied to the gangs' criminality. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Marxism

- Candidates may argue that society has forced the gangs into crime. The gang members are faced with a lack of opportunity to succeed and must turn to crime to function in their daily lives. As a result of the capitalist society in which they live producing unequal opportunities, the gangs have been forced to commit crimes to achieve what they need.
- The gangs would be classed as members of the working class or proletariat.
- The gangs may feel they have nothing else to do but to hang around the streets and commit crimes as other members of society such as the bourgeoisie have all the opportunities.
- Comments relating to the gang member's interview, for example blaming the police, boredom and a lack of money, may be credited.

Strain theory of criminality

- Candidates may argue that society has set goals for the members of the gangs to try to achieve.
- As members of the working class it could be argued that the gangs are more likely than other members of society to be denied material benefits in life.
- Their opportunities are blocked as they do not have the opportunities to reach the goals through legitimate means.
- Consequently, they have experienced feelings of strain and anomie, as they strive for material success.
- However, it may also be suggested that the gangs are innovators by adopting non-conventional or criminal ways to reach their goals and achieve material success.
- Comments relating to the gang member's interview, for example blaming the police, boredom and a lack of money, may be credited.

Functionalism

- Candidates may argue that there will always be some crime in a society as the gangs do not have the same collective sentiments or share the same values and beliefs as the rest of society.
- Crime committed by the gangs serves a function as it is bringing many members of society together. They have formed a committee to campaign against the crime.
- Social cohesion has been achieved as a result of the crime.

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(b) Explain how *The Hart Mail*'s daily reporting of crimes has created a moral panic. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

- Moral panic can occur when the media's reporting is greatly exaggerated.
- Candidates may suggest that the public will panic; they may believe that crime is out of control and thus fear for their safety.
- It may be argued that society wants severe punishment to be enforced as it believes this is the only way to prevent the crime occurring.
- Candidates may refer to the scenario and highlight that *The Hart Mail* has reported an increase in street robberies and thefts from local shops. They may suggest that such reporting is often sensationalised.
- To contextualise their response a candidate may note that the term “moral panic” was first used by Stanley Cohen in the 1960s, when the media created sensationalised headlines following the clashes between the *Mods* and the *Rockers*.
- Modern examples of moral panic may be argued to include Islamophobia, terrorism, Ebola and immigration.

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(c) With reference to campaigns and their methods, discuss how the residents' campaign may affect policy development. **[9]**

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

- The campaign will need to gain support and raise awareness of the aims and objectives that are to be achieved.
- The methods that could be employed include: a petition; use of social media; and holding events to raise awareness of the campaign. Celebrities may be asked to endorse the campaign, or merchandise may be made and sold to provide funds.
- Candidates may consider the likely success of the methods suggested. For instance, social media is free and can reach a wide audience whereas celebrity endorsements can be expensive and may alienate some members of society.
- There may also be contact with Members of Parliament and the police to enable the process of changing the law or implementing local policies to deal with the activities of the gangs.
- To show how policy has been influenced, there may be reference to successful campaigns, for example Sarah's Law, Claire's Law and double jeopardy.

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2. (a) Compare the deviant behaviour of collecting exotic pets with the criminal behaviour of theft. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

- Deviant behaviour is that which goes against social norms whereas criminal behaviour is that which goes against rules that society has developed as criminal law.
- Examples of deviance may include pushing into a queue, shouting in a library or keeping a large number of cats whereas examples of criminal behaviour may include theft and fraud. In the scenario, David's unusual hobby is linked to deviant behaviour.
- While deviant behaviour does not have to be criminal, it can be. Similarly, criminal behaviour is often—but not always—deviant. For example, murder is both deviant and criminal behaviour whereas going above the speed limit may be seen as criminal rather than deviant behaviour.
- Referring to the scenario, candidates may argue that the hobby of collecting exotic pets may be considered deviant as the norm in society is to own, for example, a dog or a cat as a pet.
- Candidates may note the differences in sanctions against deviance and criminality.

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(b) Describe **one** genetic theory of criminality. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Twin Studies

- Such studies support the contention that a heritable trait may increase the risk of criminal behaviour.
- Identical twins are from one egg and known as monozygotic (MZ) and share 100% of their DNA. Dizygotic (DZ) twins are non-identical and are from two separate eggs. They share 50% of their DNA. Where twins share characteristics or act in a similar way, this is said to be a concordance rate.
- Twin studies have taken place and there is evidence to suggest genetics or nature may play a role in criminality. The concordance rate as regards criminality is greater with MZ twins.
- A 1929 study of 30 pairs of twins by the German physician Johannes Lang found that while 10 of the 13 MZ twins studied had served time in prison, the concordance rate for DZ twins was 2 of the 17 twins studied.
- Research by Christiansen (1977) found that criminality concordance rates for MZ twins was 35% and for DZ twins it was 13%.

XYY

- This theory suggests that criminality can be attributed to a chromosomal abnormality.
- Chromosomes are structures in cell nuclei that contain our genes. Usually each person has 46 chromosomes. Sex is determined by the pattern of the person's sex chromosomes: XX in a woman and XY in a man.
- There is a genetic condition in which a male has an extra male (Y) chromosome, giving a total of 47 chromosomes. Such a condition occurs in 1 in 1,000 male births.
- Jacobs *et al* (1965) suggested that men with the XYY syndrome were more aggressive than normal 'XY' men. XYY men are over-represented in the prison population with 15 per 1,000 in the male prison population.

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(c) Briefly describe **one** individualistic theory of criminality. **[4]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Social Learning Theory

- This is based on the assumption that offending is a set of behaviours that are learned in the same way as other behaviours through observational and vicarious reinforcement.
- Reference may be made to Albert Bandura and the Bobo doll experiment.
- Some studies emphasise the family and peer group as a potential source of criminal behaviour.
- Explicit links must be made to the criminal behaviour expected, and not to just behaviour in general.

Eysenck's personality theory

- Extroverts need excitement so they are more likely to seek crime in order to gain excitement.
- This theory of 'criminal personality' conceives criminal behaviour as the outcome of interactions between processes. Levels of extroversion, neuroticism and psychoticism are likely to be explained.
- Explicit links must be made to the criminal behaviour expected and not to just behaviour in general.

Freudian approach

- Traumatic experiences in early childhood leave their mark on the individual despite the fact that the individual was not aware of these experiences.
- The theory was proposed by Sigmund Freud and concerned the Id, Ego and Superego.
- Reference may be made to the under-developed Id leading to criminality.
- Explicit links must be made to the criminal behaviour expected, and not to just behaviour in general.

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(d) Evaluate the effectiveness of individualistic theories in explaining the causes of criminality. **[9]**

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Social Learning Theory

- There are many studies that support this theory. For instance the Bobo doll experiment *did* show the model affecting the child's behaviour.
- The study has been replicated and similar results achieved.
- However, it could be argued there is a lack of ecological validity in laboratory experiments.
- The Bobo doll experiment is a snapshot study with no long-term effects discovered. There are potential ethical issues with the study.
- It ignores the fact that other factors may be influential. For instance, it ignores cognitive control over behaviour.

Eysenck's personality theory

- This theory has research that relies heavily on self-report measures of personality and may be unreliable.
- It made substantial use of comparisons between convicted offenders and the general population.
- There are issues as to whether or not a personality can be seen as a set of stable traits that cause people to behave consistently across situations.
- We do not always feel the same about issues on different days. In other words our personality can change.
- If criminal tendencies can be detected in childhood, they may be capable of being modified.

Freudian approach

- Freud's theories have been questioned due to the difficulty associated with testing some of the concepts.
- This theory relies heavily on concepts like the unconscious mind, the existence of which is difficult to prove.
- Psychodynamic therapies that have attempted to treat offending have lower success rates.
- The theory makes important links to childhood experiences.

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Question 3

3. (a) Briefly describe the types of crimes that may have been committed by Harry.
[4]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Candidates may briefly outline what is meant by white-collar crimes. The term refers to the traditional concept of a professional—often a business worker—whose working dress code may be a white-collared shirt. Often, offenders are of a high social status and considered to be respectable. This is unlike blue-collar crimes, the perpetrators of which are considered to be from a working-class background. These crimes are often more obvious and easier to detect.

- White-collar crimes that candidates may describe include crimes committed in commercial situations for financial gain. These are often very difficult to detect and can be carried out by sophisticated means.
- Candidates may specify particular crimes, including tax evasion, credit card fraud, and fraudulent investment schemes such as Ponzi schemes.
- Specific case examples may be utilised in the description, for example Bernie Madoff and Nick Leeson.

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(b) With reference to the scenario, explain how social changes affect policy development. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

- The nature of crime has changed as a result of a changing society and consequent changes in law or policy.
- Technological crimes are 21st-century crimes (by and large). The numbers have significantly increased as a result of developed technology and the availability of the internet.
- Crimes that may have taken place face to face are now taking place over the internet. For example theft or identity fraud.
- Modern examples of technological crimes that did not exist 20 years ago include phishing, accessing stored communication (hacking), electronic harassment, ”upskirting” and revenge porn.
- As the types of crime change, so too do the policies to deal with such activities. For example the Computer Misuse Act (1990) and recent laws introduced to combat ‘upskirting’ in the Voyeurism (Offences) Act (2019).

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(c) With reference to **one** theory of criminality, analyse why people such as Harry commit white-collar crimes. **[6]**

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Marxism

- People are at a disadvantage socially and financially due to an uneven social structure in society.
- The proletariat may commit crimes for financial gain. However, white-collar crimes are often committed by the bourgeoisie. This is because the agencies of social control, such as the police, focus on the working class: therefore the upper class can avoid detection.
- White-collar crimes are often committed in a complex, sophisticated manner that fits in with the lifestyle and working knowledge of the ruling class.
- The financial gain of some white-collar crimes will also allow the bourgeoisie to remain in a class above the proletariat.
- Marxists would also argue that capitalism encourages greed and this explains why the bourgeoisie are motivated to commit white collar crimes.

Strain Theory

- Merton's strain theory may suggest that offenders of white-collar crime have subscribed, to a large extent, to the goals of material success.
- Such offenders may want to further exceed their financial success but are blocked from doing so by legitimate means. Hence they have feelings of anomie and so they innovate and adopt non-conventional or criminal ways to gain material success.

Individualistic theories

- This includes theories such as learned behaviour, especially if the financial gain has provided positive re-enforcement.
- Alternatively, following Eysenck’s personality theory, the extrovert criminal may crave the excitement from the crime and is slow to learn that it will have negative consequences.

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(d) With reference to **two** examples, assess how sociological theories of criminality have informed policy development. **[9]**

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Penal populism
- This is where a government attempts to propose new laws to punish offenders.
- It is hoped that such policies are popular with the public and will elicit public support.
- Sometimes, the harsh policies may be out of proportion to the criminal offence.
- Comments may include the idea of being "Tough on crime; tough on the causes of crime" (the pledge of former prime minister, Tony Blair, to reduce crime).

Custodial sentences
- These may be lengthy, as prison sentences aim to ensure that society has its retribution on offenders.
- Individuals are deprived of their liberty and society is protected, at least for the duration of the prison sentence.
- There may be as assessment of whether prison sentences achieve rehabilitation or whether recidivism rates prevent this from occurring.

Zero tolerance
- This stems from *right realism* and is an approach where no crime is accepted.
- Originating in New York City, this policy demands that all crimes are acted upon no matter how trivial they are.
- It has been used in the UK in King's Cross (London), Hartlepool and Middlesbrough. Candidates may draw links to the *Broken Windows Theory*.

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